

Brickyard

COMMONWEALTH OF KENTUCKY
DEPARTMENT FOR NATURAL RESOURCES
AND ENVIRONMENTAL PROTECTION
FILE NO. 1185-06

RECEIVED

APR 7 - 1980

Dept. for Natural Resources & Environmental
Protection Commissioner's Office
Bureau of Environmental Protection

IN THE MATTER OF:

THE OLD HARDIN COUNTY BRICKYARD
DIXIE HIGHWAY
WEST POINT, KENTUCKY 40177

SERVE:

Donald Distler, Lessee
5207 Blevins Gap Road
Louisville, Kentucky 40207

Kentucky Liquid Recycling Inc.

Hon. Frank E. Haddad, Jr.
529 Kentucky Home Life Building
Louisville, Kentucky 40202

Hon. Edward Steutermann
2800 First National Tower
Louisville, Kentucky 40202

Mr. Ken Shelton
12305 Orell Road
Louisville, Kentucky 40207

* * * * *

NOTICE

You will hereby take notice that the accompanying Motion has been placed on the Docket for hearing in the Fifth Floor Conference Room of the Capital Plaza Tower, in Frankfort, Kentucky, at 10:00 a.m. on Wednesday, April 16, 1980.

MOTION

Comes the Plaintiff, Department for Natural Resources and Environmental Protection, by counsel and moves the hearing officer herein, the Honorable J. Gregg Clendenin, to reopen and set for hearing the matter of the Old Hardin County Brickyard, Department for Natural Resources and Environmental Protection,

Site: A.L. Taylor
Break: 10.6
Other: _____

FILED

APR 4 1980

GENERAL COUNSEL
DNREP



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Case No. 1185-06. The Department for Natural Resources and Environmental Protection, hereinafter the Department, states and alleges as follows:

1. That conditions surrounding the storage of barrels at the Old Hardin County Brickyard which caused to be issued an Order to Abate and Alleviate signed by the Secretary of the Department on January 19, 1979, still exist and continue to go substantially unremedied.

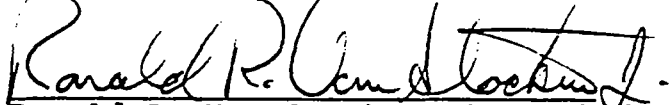
2. That a Final Order commanding Donald Distler and Kentucky Liquid Recycling to remedy conditions at the site was issued by the Secretary of the Department on May 24, 1979.

3. That Donald Distler and Kentucky Liquid Recycling have failed to perform as ordered by the Secretary of the Department on May 24, 1979. More specifically, Donald Distler and Kentucky Liquid Recycling have failed to:

- (1) Identify, sell and remove all reusable liquids from the brickyard site.
- (2) Sell or remove to an approved landfill site all the empty drums from the brickyard site.
- (3) Identify the contents of drums containing solid or semi-solid materials according to a schedule as specified by the Department.
- (4) Identify and stack all drums containing non-reusable liquids, upright away from the ground at the site on either concrete or bricks.
- (5) Transfer contents of leaking drums to secure drums.
- (6) Subject the contents of all drums containing non-reusable liquids to laboratory analysis.

- (7) Load and dispose of approved drums under supervision
by Department employees.

DEPARTMENT FOR NATURAL RESOURCES
AND ENVIRONMENTAL PROTECTION



Ronald R. Van Stockum, Jr., Ph.d.
Office of General Counsel
Fifth Floor, Capital Plaza Tower
Frankfort, Kentucky 40601

CERTIFICATION

I hereby certify that a true copy of the
foregoing Notice and Motion was delivered
by certified mail to the following this
the 4th day of April, 1980:

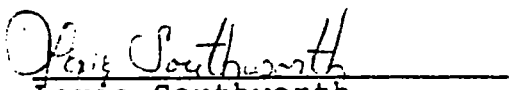
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Lexie Southworth
Acting Docket Coordinator

Distribution:

✓ Jack Wilson, Commissioner
Bureau of Environmental Protection

Roger Blair, Director
Division of Hazardous Material and Waste Management

Gregg Clendenin, Hearing Officer

